

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Kazuji MATSUMOTO et al.) Confirmation No.: 8438
)
Application No.: 10/574,943) Group Art Unit: Unassigned
)
Filed: April 7, 2006) Examiner: Unassigned
)
For: METHOD AND SYSTEM FOR MEASURING THE CONCENTRATIONS OF
FLUORESCENT DYES

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Window Mail Stop: ☐ New Application ☒ Amendment ☐ AF ☐ Issue Fee
Alexandria, VA 22314

Sir:

INFORMATION DISCLOSURE STATEMENT (IDS)

☒ **Under 37 C.F.R. § 1.97(b):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. To the undersigned's knowledge, this IDS is being filed before the mailing date of a first Office Action on the merits, before the mailing date of a first Office Action on the merits after filing an RCE under § 1.114, or within three months of the application filing date.

☐ **Under 37 C.F.R. § 1.97(c):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Office Action, a Notice of Allowance, or another action that closes prosecution in the application.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; or

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(d):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(c) but before payment of the issue fee.

☐ The fee of \$180.00 set forth in § 1.17(p) is included herein; and

☐ Applicant submits that each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ **Under 37 C.F.R. § 1.97(i):** Pursuant to 37 C.F.R. §§ 1.56 and 1.97(i), Applicant brings to the attention of the Examiner the documents listed on the attached PTO Form 1449. This IDS is being filed after the events recited in § 1.97(d). Applicant requests that the IDS be placed in the file.

☒ A search report or other listing of documents from a counterpart, related, or other application dated November 16, 2004 and having documents cited thereon is attached for the Examiner's consideration. Any of these documents not previously cited, and any additional documents are listed on the PTO Form 1449.

☒ Applicant respectfully requests that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form. As for any document listed on the accompanying PTO-1449 that is in a language other than English, relevance can be understood from an enclosed English abstract or at least partial translation or from mention in the specification or in a search report for a corresponding application.

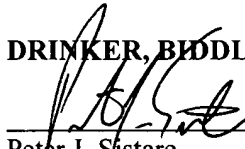
This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If it should be determined that any of the listed documents do not constitute "prior art" under United States law, Applicant reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should any of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required and including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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Dated: December 19, 2006

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INFORMATION DISCLOSURE CITATION (Use several sheets if necessary)				Attorney Docket No.: 46884-5471		Serial No.: 10/574,943	
				Applicants Kazuji MATSUMOTO et al.		Page 1 of 1	
PTO Form 1449				Filing Date: April 7, 2006		Group Art Unit: Unassigned	
U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Sub Class	Filing Date
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Sub Class	Translation YES NO
		3280035	02/22/2002	Japan			Abstract
		WO 01/09592	02/08/2001	PCT			
		2002-168868	06/14/2002	Japan			Abstract
		2003-270129	09/25/2003	Japan			Abstract
		2004-163312	06/10/2004	Japan			Abstract
OTHER DOCUMENTS							
(Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.)							
		Gary R. BRIGHT, "Multiparameter Imaging of Cellular Function," Biological Techniques, Fluorescent and Luminescent Probes for Biological Activity, A Practical Guide to Technology for Quantitative Real-Time Analysis, 1993, pp. 204-215.					
		Atsushi MIYAWAKI et al., "Fluorescent indicators for Ca ²⁺ based on green fluorescent proteins and calmodulin," Nature, Vol. 388, August 28, 1997, pp. 882-887.					
		Gerald W. GORDON et al., "Quantitative Fluorescence Resonance Energy Transfer Measurements Using Fluorescence Microscopy," Biophysical Journal, Vol. 74, May 1998, pp. 2702-2713.					
		M. E. DICKINSON et al., "Multi-Spectral Imaging and Linear Unmixing Add a Whole New Dimension to Laser Scanning Fluorescence Microscopy," BioTechniques, Vol. 31, No. 6 (2001), pp. 1272-1279.					
		Timo ZIMMERMAN et al., "Spectral imaging and its applications in live cell microscopy," FEBS Letters 546 (2003), pp. 87-92.					
		Mary E. DICKINSON et al., "Multiphoton excitation spectra in biological samples," Journal of Biomedical Optics, 8(3), July 2003, pp. 329-338.					
		Satoshi KAWADA, "Imaging Spectroscopy ni yoru Pattern Bunseki," Japanese Journal of Optics, January 10, 1989, Vol. 18, No. 1, pp. 8-14, including English-language translation.					
Examiner					Date Considered		
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							